

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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PHARMA TECH SOLUTIONS, INC., and
DECISION IT CORP.,

Plaintiffs,

v.

LIFESCAN, INC., LIFESCAN SCOTLAND,
LTD. and JOHNSON AND JOHNSON,

Defendants.

Case No. 2:16-cv-00564-RFB-PAL

ORDER

(Mot. to Seal – ECF No. 36)

This matter is before the court on the Motion to Seal (ECF No. 36), filed August 15, 2016, by Defendants LifeScan, Inc.; LifeScan Scotland, Ltd.; and Johnson & Johnson's (jointly, "LifeScan"). This Motion is referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A) and LR IB 1-3 of the Local Rules of Practice.

The Motion seeks leave to file under seal Exhibits 3, 4, and 10 to the Declaration of Anthony DeCinque (ECF No. 35) that technical design information and proprietary algorithms showing how LifeScan's meters work. *See* Sealed Exhibits (ECF No. 37). This is a patent action and the court has entered a protective order governing documentation and testimony that is confidential to the parties' sensitive information of a proprietary business or technical nature. *See* Protective Order (ECF No. 33).

Having reviewed and considered the matter in accordance with the Ninth Circuit's directives set forth in *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006), the court finds that Lifescan has met its burden of establishing compelling reasons for these documents to remain sealed.

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1 Accordingly,

2 **IT IS ORDERED:** that Lifescan's Motion to Seal (ECF No. 36) is GRANTED.

3 Dated this 21st day of August, 2016.

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6 PEGGY A. ZEEN
7 UNITED STATES MAGISTRATE JUDGE
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